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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,310	02/22/2002	Barry Paul Pershan	Verizon-25	3676

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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/081,310

**Applicant(s)**

PERSHAN, BARRY PAUL

**Examiner**

Shaima Q. Aminzay

**Art Unit**

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## ***DETAILED ACTION***

### ***Response to Amendment***

The following office action is in response to Amendment, filed on December 6, 2004.

The independent claims 14, 18, and 21 are amended.

Claims 1-26 are pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

1. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent (Dent, U. S. Publication number 20030125072) in view of Chow (Chow et al. U. S. Patent number 6535730 B1).

Regarding claims 1, 2, 3, and 8, Dent discloses communications system detecting the group member caller telephone number (see for example, paragraph [0001], lines 1-3, and [0008], lines 1-5), and determining if the call is from a member of a group identified in a stored set of information associated with the called telephone number and when it is determined that the calling party is a

member of the group identified in said stored set of information (see for example, paragraph [0008], lines 2-19, the caller phone number (direct phone number, [008], lines 17-19) is being identified, [0042], lines 1-8, and further in detail the storing and retrieving group information and caller information see Figure 2, paragraph [0029] through [0030], and [0031], lines 1-3), and presenting the calling party with a list of other members of said group who have provided telephone numbers for contact purposes (see for example, Figure 3 (112), and paragraph [0036], lines 23-30, in Figure 3 the {Caller Selected "All Parties"} connects block 110 directly to block 112), and receiving information from the calling party identifying one or more members of the group who are to be included in a conference call (see for example, Figure 3 (106), and paragraph [0036], lines 6-12, in Figure 3 the {Caller Selected "A Specific Party"} connects block 110 directly to block 112), and initiating a conference call to any group members identified by the received information (see for example, paragraph [0041], lines 1-22, the received information ([0041], lines 4-10) and initiating call ([0041], lines 3 and 9-10), and conference call includes placing calls to at least two group members using telephone numbers corresponding to said two group members (see for example, paragraph [0006], lines 3-5).

Dent does not specifically disclose when call to a telephone number goes unanswered. However, Dent discloses forwarding the unanswered call from the non-subscriber area to the mobile at the currently serving subscriber area (see for example, paragraph [0015], lines 22-26).

In related art, Chow discloses to detect when a call to a telephone number goes unanswered (see for example, column 47, lines 45-48, lines 57-60, column 48, lines 1-6, and lines 15-21, the no answered call is being detected before taking an action).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Chow's wireless conference call and adding a party unanswered call with Dent's "multi-extension functionality to a group of mobile terminals in a wireless communication network" ([0006], lines 2-3), and "multiple simultaneous calls in multiple simultaneous conversation ([0040], lines 1-4) to "provide mobile terminal subscribers with the same convenience as fixed telephone subscribers" (Dent, [0005], 2-4), and to provide processing control techniques and offer "new feature/functions, while offering low cost telephone service" (Chow, column 1, lines 21-22, and column 2, lines 11-12).

Regarding claims 4, 5, and 6, Dent in view of Chow teach claim 3, and further Dent discloses playing messages from multiple members of said group to the calling party prior to initiating said conference (see for example, paragraph [0023], lines 18-22, and paragraphs [0024] through [0027]), and initiating a conference call includes operating said peripheral device to initiate calls to any group member identified by the received information (see for example, paragraph [0041], lines 1-22, the received information ([0041], lines 4-10) and initiating call ([0041], lines 3 and 9-10), detecting when a call initiated to a group member

identified by the received information is answered; and bridging the answered call with the call from the calling party (see for example, Figure 3, the flowchart depicting call handling that corresponds to the circuitry of Figure 1, the blocks 110, 112, 114, 116, and 106 describes conference call and calling party and subscriber phone number when calls are answered, paragraph [0036], lines 24-43).

Regarding claim 7, Dent in view of Chow teach claim 2, and further Dent discloses the automatic number identification information to a list of telephone numbers corresponding to the members of said group (see for example, paragraph [0036], lines 36-42).

Regarding claim 10, Dent in view of Chow teach claim 9, and further Dent discloses the telephone switch (Figure 1, 12) peripheral device to receive information includes operating the telephone switch peripheral device to receive a call from a member of the group. (see for example, Figure 1 (MSC, 12) connections, and paragraph [0013], lines 1-8).

Regarding claims 9, 11, 12, and 13, Dent in view of Chow teach claims 1, 10, and further Dent discloses the communication system can include Internet/intranet access (see for example, paragraph [0043], lines 1-12, connection to internet can generating an E-mail message including the received

information with emergency contact phone numbers and transmitting the E-mail message to members).

Regarding claims 14, 17, Dent discloses a communications system (Figure 1 (10)), comprising: a telephone switch (12) for receiving calls directed to a subscriber telephone (18) number (see for example, Figure 1 (MSC, 12), and paragraph [0013], lines 5-7, and [0014], lines 1-5, and the MSC (12) receives calls addressed to subscriber, [0015], lines 22-26), and peripheral device coupled to said switch including (see for example, Figure 1 (MSC, 12), the Base Station Controller (14), the Radio Base Stations (16), Home Location Register (20), and Visitor Location Register (22) are coupled to the Mobile Switch Center (12), paragraph [0012], lines 1-9), and circuitry for accessing a set of information corresponding to the subscriber telephone number (see for example, Figure 2, the functional block diagram of a subscriber database including procedure of accessing subscriber phone number [0010], line 1-2, [0029], lines 3-6, [0031], lines 1-4, the database activities of Figure 2 are directly related to the circuitry of Figure 1), and the set of information including a list of telephone numbers corresponding to a group of individuals associated with said subscriber telephone number (see for example, Figure 2, the functional block diagram of a subscriber database including block 38 that include the telephone numbers corresponding to a group and the subscriber phone number, [0010], line 1-2, [0029], lines 3-6, [0031], lines 1-13, the database activities of Figure 2 are directly related to the

circuitry of Figure 1), and call conferencing circuitry coupled to said telephone switch for placing calls to members of said group selected by the calling party and for bridging said calls to the call placed by the calling party to the subscriber telephone number when said calls are answered (see for example, Figure 3, the flowchart depicting call handling that corresponds to the circuitry of Figure 1, the blocks 110, 112, 114, 116, and 106 describes conference call and calling party and subscriber phone number when calls are answered, paragraph [0036], lines 24-43), and a service control point coupled to said telephone switch including control logic for instructing said switch to connects the subscriber telephone number to said peripheral device (see for example, Figure 1, the Base Station Controller (14) that is coupled to the Mobile Switch Center (12) connected to the Radio Base Station and make connection to the mobile (18) identifying the mobile phone number and processing the telephone calls, paragraph [0012], lines 1-17, and [0013], lines 5-7, [0014], lines 1-5, and [0036], lines 23-30).

Dent does not teach specifically playing a message to a calling party who made an unanswered call. However, Dent teach playing a message to a calling party who made [an unanswered] call to the subscriber telephone number and the message including the names of the group members who have included contact telephone numbers in said set of information (see for example, paragraph [0023], lines 18-22).

In related art, Chow discloses [playing a message to a calling party who made] an unanswered (no answered) call (see for example, column 47, lines 45-



48, lines 57-60, column 48, lines 1-6, and lines 15-21, the no answered call, and column 48, lines 1-14, the message is combination of alpha numeric letters that could be any message such as phone number).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Chow's wireless conference call and adding a party unanswered call with Dent's "multi-extension functionality to a group of mobile terminals in a wireless communication network" ([0006], lines 2-3), and "multiple simultaneous calls in multiple simultaneous conversation ([0040], lines 1-4) to "provide mobile terminal subscribers with the same convenience as fixed telephone subscribers" (Dent, [0005], 2-4), and to provide processing control techniques and offer "new feature/functions, while offering low cost telephone service" (Chow, column 1, lines 21-22, and column 2, lines 11-12).

Regarding claim 18, , Dent discloses a communications method comprising (Figure 1, paragraph [0012], lines 1-2): storing a set of information including a list of members of a group associated with a telephone number who may be contacted [when a call to said telephone number goes unanswered] (see for example, paragraph [0008], lines 2-19, storing group members information including phone numbers in database, [008], lines 1-19, [0042], lines 1-8, and further in detail the storing and retrieving group information and caller information see Figure 2, paragraph [0029] through [0030], and [0031], lines 1-3), the set of information including for each group member who may be contacted and a

contact telephone number (see for example, Figure 2, paragraph [0030], lines 8-20); and presenting the calling party [placing the unanswered call] with a list of group members who have contact telephone numbers stored in said set of information (see for example, Figure 3 (112), and paragraph [0036], lines 23-30, in Figure 3 the {Caller Selected "All Parties"} connects block 110 directly to block 112); receiving information from the calling party indicating the group member or members who the calling party would like to contact (see for example, Figure 3 (112), paragraph [0036], lines 23-30, the {Caller Selected "All Parties"} connects block 110 directly to block 112, and {Caller Selected "A specific Party"}); and initiating a conference call using at least one contact telephone number obtained from the set of stored information corresponding to a group member indicated by the received information (see for example, paragraph [0041], lines 2-22, initiating a conference call (lines 2-4), and stored information corresponding to a group member (Figure 2, 38), paragraph [0038], lines 10-20, and [0031], lines 2-11).

Dent does not specifically disclose when call to a telephone number goes unanswered. However, Dent discloses detecting and forwarding the unanswered call from the non-subscriber area to the mobile at the currently serving subscriber area (see for example, paragraph [0015], lines 22-26).

In related art, Chow discloses detecting when a call [to the telephone number associated with said group] goes without answered (see for example, column 47, lines 45-48, lines 57-60, column 48, lines 1-6, and lines 15-21, the no answered call is being detected before taking an action).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Chow's wireless conference call and adding a party unanswered call with Dent's "multi-extension functionality to a group of mobile terminals in a wireless communication network" ([0006], lines 2-3), and "multiple simultaneous calls in multiple simultaneous conversation ([0040], lines 1-4) to "provide mobile terminal subscribers with the same convenience as fixed telephone subscribers" (Dent, [0005], 2-4), and to provide processing control techniques and offer "new feature/functions, while offering low cost telephone service" (Chow, column 1, lines 21-22, and column 2, lines 11-12).

Regarding claims 19, and 20, Dent in view of Chow teach claim 18, and further Dent discloses stored messages corresponding to at least some of group members who have contact telephone numbers (see for example, Figure 2, the functional block diagram of a subscriber database including procedure of accessing subscriber phone number [0010], line 1-2, [0029], lines 3-6, [0031], lines 1-4, the database activities of Figure 2 are directly related to the circuitry of Figure 1), and at least two members of the group using contact telephone numbers obtained from the set of stored information and establishing a conference call (see for example, paragraph [0006], lines 1-14).

Regarding claims 21 and 26, Dent discloses a digital storage medium (see for example, Figure 1, VLR (22), and HLR (20), and Figure 2 (30, subscriber data

base)), comprising: a first and second sets of stored information for providing a communications service (see for example, paragraphs [0023] through [0030], the first set of stored information such as mobile IDs), the set of stored information including: Call process instructions responsive to an indication of a [non-answered] call (see for example, paragraphs [0023], lines 18-22, [0024], [0025], [0026], [0027], line 1, [0028], lines 1-4, [0030], lines 1-6, call processing), a primary telephone number associated with a first communications service subscriber; and (see for example, paragraphs [0030], lines 10-12, [0031], lines 1-11, [0032], lines 1-11, [0033], lines 1-3 and Table 1, primary number and first communication service subscriber), a list of group members associated with said primary telephone number for each of a plurality of members in said list (see for example, paragraphs [0030], lines 10-12, [0034], lines 1-13, group members association with primary telephone number): a telephone number from which the group member may call said primary telephone (see for example, paragraphs [0030], lines 10-12, [0031], lines 1-11, [0032], lines 1-11, [0033], lines 1-3 and Table 1, primary number); and a telephone number which can be used to contact said group member (see for example, paragraphs [0030], lines 10-12, [0034], lines 1-13, group members association with primary telephone number).

Dent does not specifically disclose when call to a telephone number goes unanswered. However, Dent discloses detecting and forwarding the no answered call from the non-subscriber area to the mobile at the currently serving subscriber area (see for example, paragraph [0015], lines 22-26).

In related art, Chow discloses process instructions responsive to an indication of a non-answered (no answered) call (see for example, column 47, lines 45-48, lines 57-60, column 48, lines 1-6, and lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time invention was made to combine Chow's wireless conference call and adding a party unanswered call with Dent's "multi-extension functionality to a group of mobile terminals in a wireless communication network" ([0006], lines 2-3), and "multiple simultaneous calls in multiple simultaneous conversation ([0040], lines 1-4) to "provide mobile terminal subscribers with the same convenience as fixed telephone subscribers" (Dent, [0005], 2-4), and to provide processing control techniques and offer "new feature/functions, while offering low cost telephone service" (Chow, column 1, lines 21-22, and column 2, lines 11-12).

Regarding claims 22-25, Dent in view of Chow teaches claim 21, and further, Dent teaches E-mail address [associated with the group member] and E-mail notification indicator (see for example, paragraphs [0043], lines 1-12, internet and internet access (such as e-mail, and etc.) and verity of communication through the internet used with the group members, and list of information such as ID numbers and other information can be stored and shared with the group members (see for example, [0041], lines 1-10)).

### ***Response to Arguments***

Note: This office action has been restructured for clarity. Examiner did not change the ground of rejection; but has changed the argument of the rejection to reflect the new amendment of the claims.

2. Applicant's arguments filed December 6, 2004 have been fully considered but they are not persuasive.

The applicant (middle to end of page 11) argued that the "there is no reason to combine the two references", the cited prior art Dent and Chow (Chow et al.), and "Dent publication discloses associating a common number to a group of two or more mobile terminals, such that "when a call directed to the common number is received, the caller may be prompted to select an option for contacting group member" (Abstract-emphasis added). Regarding of whether a caller intends to reach a particular party, the first available party, or conference all available parties, there would be no reason to consider invoking a procedure in the case of a no answer condition. If there is no answer condition number any of the above scenarios, the purpose of the Dent invention has failed, and no other action is suggested or contemplated". Examiner respectfully disagrees. There is not citation in Dent's group telecommunication that precludes the Examiner from

adding the features of no answer being detected taught by Chow to be added to Dent's device because, one of the scenarios that applicant did not consider is form no answer to the group of two or more mobiles, that is why the combination of Dent and Chow is proper. The applicant further argues (middle to end of page 12) that Chow fails to teach the "no answer condition". Examiner respectfully disagrees. As discussed in the rejection above, Chow discloses taking an action on detecting a no answered call. The applicant further argues (middle to end of page 13) that "the current invention has the further feature of determining "that the calling party is member of the group..." prior to "presenting the calling party with a list of other members of said group " which is not disclosed or suggested in the prior art". Examiner respectfully disagrees. Previously admitted by the applicant (argument middle to end of page 11), Dent shows a group of mobile terminals. The rejection is maintained.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

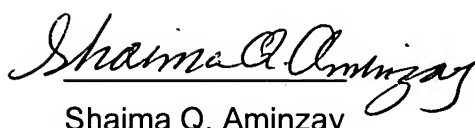
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



### Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shaima Q. Aminzay

(Examiner)

  
**NICK CORSARO**  
**PRIMARY EXAMINER**

\_\_\_\_\_  
Nay Maung

(SPE)

Art Unit 2684

February 1, 2005